

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Wilson Scott Baytala

Docket No. 4:12-CR-13-1D

Petition for Action on Supervised Release

COMES NOW Melissa K. Lunsmann, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Wilson Scott Baytala, who, upon an earlier plea of guilty to Possession of Firearms by a Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(e)(1), was sentenced by the Honorable James C. Dever III, U.S. District Judge, on July 19, 2012, to the custody of the Bureau of Prisons for a term of 188 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. On May 3, 2013, pursuant to Rule 35 of the Federal Rules of Criminal Procedure, the defendant's sentence was reduced to 114 months custody.

Wilson Scott Baytala was released from custody on March 23, 2020, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On February 25, 2021, the defendant reported to the probation office to submit to urinalysis testing. USPO Shawn Lyon collected a sample, which was cold to the touch. Once confronted, the defendant admitted to defrauding the test and produced a white bottle with a string tied to it, in which he had concealed the urine. He then produced a new sample, which tested positive for cocaine use. The defendant admitted to using cocaine on or about February 21, 2021.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 90 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.
3. The defendant shall abide by all terms and conditions of the Remote Alcohol Monitoring Program, as directed by the probation officer, for a period not to exceed 90 consecutive days.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ David W. Leake
David W. Leake
Supervising U.S. Probation Officer

/s/ Melissa K. Lunsmann
Melissa K. Lunsmann
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: (910) 346-5103
Executed On: March 8, 2021

ORDER OF THE COURT

Considered and ordered this 9 day of March, 2021, and ordered filed and
made a part of the records in the above case.

J. C. Dever
James C. Dever III
U.S. District Judge